

1 first duly sworn, was examined and testified as follows:  
2

3 DIRECT EXAMINATION BY MS. GRIFFIN:  
4

5 Q Would you state your name, please?

6 A My name is Paul Williams.

7 Q And where are you employed?

8 A I'm a policeman for the City of Bloomington.

9 Q How long have you been a police officer with  
10 Bloomington?

11 A Since 1987. I think that would be 13 years or so,  
12 close to 14.

13 Q Okay. What's your current position with them?

14 A Currently I'm a sergeant for the police department.

15 Q How long have you been a sergeant?

16 A Three and a half, going on four years.

17 Q I want to direct your attention back to the date of  
18 March 31st, 1991 and ask you if you were on duty and working  
19 on that particular day?

20 A Yes, ma'am, I was.

21 Q And do you recall which shift you were working on  
22 that day?

23 A I was working the second shift, which is from three  
24 in the afternoon 'til 11 in the evening.

1 Q And at that time when you worked that shift, what  
2 were your assigned duties and responsibilities?

3 A At that point I was a patrol officer assigned in  
4 uniform to drive a patrol car and assigned the  
5 responsibility for an area of town.

6 Q Now, on the evening of March 31st, 1991 when you  
7 were working as a police officer did you receive a dispatch  
8 regarding a call to the Clark gas station at the corner of  
9 Empire and Linden Streets in Bloomington?

10 A Yes, ma'am, I did.

11 Q Do you recall about what time it was you got that  
12 dispatch?

13 A It was approximately 8:18 in the evening.

14 Q Do you recall about where you were when you got that  
15 call?

16 A Yes, I recall generally. I recall that I was in the  
17 middle part of town not terribly far from the area of about  
18 McLean Street by the park there at McLean and Prairie area,  
19 right in that part of town.

20 Q Now, when you got that call about the Clark station,  
21 what kind of call was that?

22 A It was a holdup alarm.

23 Q And do you treat those calls a certain way or  
24 respond a certain way?

1 A Yes, ma'am.

2 Q How is that?

3 A Well, you always would send at least two officers to  
4 that call and then depending on, you know, some maybe calls  
5 you'd have a lot of holdup alarms at maybe one business or  
6 something so you might handle that differently. But as a  
7 routine matter of practice you would treat all those as a  
8 crime in progress where there might actually be a holdup  
9 going on. So you'd approach with that mind-set.

10 Q So when you got that call you went to that location  
11 to go to the Clark station?

12 A Yes.

13 Q Do you recall when it was you got there?

14 A It was about three minutes later so about 8:21 I  
15 believe.

16 Q When you arrived or approached that area, how did  
17 you approach from? What direction?

18 A I had approached, I was south of the filling  
19 station, so I came up on Linden Street towards Empire.

20 Q So you would have been going north on Linden?

21 A Yes.

22 Q And what did you do when you got to the area?

23 A Well, I pulled up. I shut my lights off to my squad  
24 car, and I pulled up a little bit at a time until I could

1 get the gas station in view. In other words, I just sort of  
2 inched up on the street until I could see the gas station,  
3 that way I wouldn't maybe be seen as quick or expose myself,  
4 if there was something going on at the gas station.

5 Q Okay. And were you aware of anybody else responding  
6 to the call as well?

7 A Yes, Jeff Pelo, who at the time was also a patrol  
8 officer, we were both dispatched to the call together.

9 Q Okay. Now, as you inched your way up to get the  
10 observation of the station, did you make any observations?

11 A Well, just as I was pulling up you mean? I was  
12 focused very much so trying to see the door of the gas  
13 station so I don't know if I really understand your exact  
14 question, but what I was focusing on was trying to get into  
15 that position, ma'am.

16 Q Okay. Did you notice if there were any other  
17 vehicles on the lot or any people in the lot or anything  
18 like that?

19 (A) Once I got into position, then, yes, I did notice  
20 that. I noticed the -- I saw Officer Pelo had gotten out of  
21 his car, and I was focused in on the door of the gas  
22 station. *MARTINEZ ALREADY OFF LOT*

23 Q And did you see anyone enter or leave the station?

24 A I saw Pelo go in the gas station and come out. I

1 did not see any civilian people at that time go into the gas  
2 station or come out of the gas station.

3 Q After you saw Pelo go inside, did you get closer to  
4 the station?

5 A Well, in the sequence of things he was pulling up  
6 and walking through the lot and as he did that, I came up  
7 and approached also so that he wouldn't be up there by  
8 himself in case there was something going on.

9 Q And so when he was inside and he came out you were  
10 there?

11 A Right.

12 Q And did he give you some information about what  
13 might be going on?

14 A Yes.

15 Q And did you then go inside the station yourself?

16 A Yes.

17 Q And when you, yourself, went inside the station,  
18 what did you observe?

19 A I entered the station and took a quick check. It's  
20 a small -- the building was very small. And eventually then  
21 I saw that there was a boy laying behind the counter on the  
22 floor.

23 Q And what did you notice in terms of the position  
24 that person was in?

1           A The boy was on the -- on the floor laying on his  
2 side in what I would describe as a prenatal position, in  
3 other words, his knees were kind of pulled up towards his  
4 chest. He was facing southwest. I believe he was on his  
5 left side, and I took a hard look at his face and his skin  
6 color and made some observations about those things too just  
7 generally.

8           Q What did you observe?

9           A I noticed or I was specifically looking for  
10 movement, respiratory movements, anything to that nature, of  
11 which there were none. I noticed that the contact lens on  
12 his eye was popped out and was sticking out straight. So I  
13 noticed that. I noticed there was just no movement and kind  
14 of a hollow look.

15          Q Okay. And did you do anything with the young man to  
16 try to determine whether there was any assistance that you  
17 could give?

18          A Yes.

19          Q What did you do?

20          A Well, I -- after I made those observations, I had a  
21 brief conversation with Officer Pelo, and at that point then  
22 I decided I should see if I could be of any assistance to  
23 this I say boy, this young man.

24          Q So what did you do with the young man?

1           A Well, I decided that it would be prudent to try to  
2 administer C P R, and prior to doing that I wanted to make  
3 sure that I didn't make the situation worse so I took some  
4 steps to ensure that.

5           Q And what were those steps?

6           A I rolled the boy over and looked to see if there was  
7 anything imbedded in his chest, a knife or sharp object of  
8 some nature, which I did not see any. And then prior to  
9 administering any chest manipulations, I went ahead and cut  
10 his shirt open so I could see his bare chest.

11          Q And when you did that, what did you notice about his  
12 chest?

13          A Two holes were in his chest consistent with what I  
14 would have known to be bullet holes, one was just almost  
15 dead center in his chest and the other hole was in his  
16 deltoid area, and based on those two holes and the angle  
17 that it appeared they were entered and the way that his body  
18 moved when I touched him and so forth, other observations  
19 that I made, I decided that there would be no use to  
20 administer any C P R.

21          Q Had rescue been notified?

22          A They were -- they were called to the scene, yes,  
23 prior to that sequence of things happening.

24          Q And did they arrive shortly thereafter?

1 A Very shortly, yes.

2 Q And did you allow them to also check the young man?

3 A Certainly, of course.

4 Q And did they confirm what you suspected?

5 A Correct.

6 Q He was gone?

7 A That he had -- he was dead.

8 Q Now, once they confirmed that, what did you do at  
9 the scene at that point?

10 A I only allowed two rescue people to come in. Others  
11 had been dispatched but I only let two -- two rescue workers  
12 into the scene. And once they were in the scene, nobody  
13 else was allowed in the gas station at all and including  
14 myself, I went ahead and stepped outside too I believe.

15 Q I'm going to show you what's been marked as People's  
16 exhibit number nine, ask you if you recognize what's  
17 depicted there in that photograph.

18 A Yes, I do, ma'am.

19 Q And could you indicate what you recognize that to  
20 be?

21 A This is a photograph of the inside of the Clark gas  
22 station, and it would be a picture taken, if the person  
23 taking the picture was facing west; and it's a picture of  
24 the boy with his shirt there torn up, which is a result of



1 my cutting it open, and I think you can see pretty much  
2 about halfway between his naval and the intersection of  
3 where his nipples would be you would see what is a dark spot  
4 and that would be what I thought was a bullet hole. And  
5 also then you'd notice on his left pectoral or deltoid area,  
6 another kind of elongated hole, which I thought was also  
7 consistent with a bullet hole.

8 Q Now, the position that the young man is in, and by  
9 the way you later learned the identity of that young man?

10 A Yes, I did. It was a boy named William Little.

11 Q Now, does this picture show the position that Bill  
12 Little was in when you first observed him?

13 A No.

14 Q What's different about it?

15 A Well, he had been moved to put his spine flat on the  
16 ground. When you do C P R you have to have that. And also  
17 he was behind this counter. And if you get back behind that  
18 counter, there is no -- no real room to work. A full grown  
19 man would be tight with this -- with the body in there and  
20 two men couldn't hardly get in there at all. So he had been  
21 moved to where there is a little bit more space.

22 Q Did you ultimately turn the scene over to other  
23 officers who arrived there at the scene to take over the  
24 investigation?

1           A I turned the scene over when the detective sergeant  
2 finally arrived. I relinquished my control of the scene. I  
3 had taken control of the scene and as I think I was probably  
4 the most senior officer that showed up that day. And then I  
5 transferred custody of the scene to another sergeant.

6           Q Now, after the scene was secured, at some point were  
7 you involved in the securing the body of Bill Little?

8           A Yes, ma'am.

9           Q And what did you do to secure that?

10          A The body was transported from the gas station to the  
11 county morgue, and I went with the body to that morgue and  
12 was present when some family showed up later on.

13          Q And after the family viewed the body, were you  
14 present then when the body was sealed in the morgue?

15          A Yes, I was.

16                 MS. GRIFFIN: I don't believe I have any more  
17 questions, thank you.

18                 THE WITNESS: Thank you.

19                 THE COURT: Mr. Picl?

20                 MR. PICL: Sarg -- thank you, Judge.

21

22                 CROSS EXAMINATION BY MR. PICL:

23

24                 Q I've got a few questions for you. That photo that

1 we just looked at on the screen, State's exhibit number  
2 nine, is that a photo that accurately shows Mr. Little's  
3 body as it was when you arrived in the station?

4 A No, counsel, it would not show how it was when I  
5 arrived.

6 Q How was that different, if you can explain it? How  
7 was the body -- how would that -- how had it been moved?

8 A The body had been a more laying on his side like on  
9 an arm, maybe the way some people would sleep on their side,  
10 and his knees were curled up towards his chest; and he would  
11 have been actually physically behind that simulated wood  
12 counter, as opposed to that picture, he would have been  
13 pulled out to the side of it.

14 Q But so in that picture when you first arrived, his  
15 body would have been less visible because he would have  
16 been -- it would have been more behind the wooden counter?

17 A Right.

18 Q To the left in that photo, is that right?

19 A You are correct.

20 Q Okay. Well, when you arrived, did you talk first  
21 with Officer Pelo?

22 A Well, I don't know that we'd really qualify it as  
23 talking. We -- I think he made the comment something to the  
24 effect of, you know, there is somebody on the ground inside,

1 and I walked inside. I guess if you want to call that  
2 talking -- he kind of had some things to say and I went  
3 ahead, and we were very busy and working very fast so we  
4 weren't really talking as much as just stating facts to each  
5 other.

6 Q Well, when you first saw the body, was there a  
7 tennis shoe sticking out from behind the counter and  
8 visible?

9 A Well, I don't know, counsel, because I didn't at  
10 that point, why, I believe sergeant or at that time Officer  
11 Pelo had already searched the building, which doesn't take  
12 much to have gone through that building, and I immediately  
13 proceeded behind the counter. So I didn't make any  
14 preliminary observations like that I don't guess. I just  
15 kind of went right in.

16 Q And you rolled him over?

17 A Yes, sir.

18 Q Cut open his shirt?

19 A Yes, sir.

20 Q Straightened out his legs a little bit?

21 A That happened when he rolled, yes, sir.

22 Q Okay. You didn't flip flop the body so that the  
23 head was where the feet had been, though, did you?

24 A No.

1 Q Well, I didn't see then in that picture that his  
2 shoes were anywhere near sticking out from behind the  
3 counter? Did you see them sticking out?

4 A Not in that picture, no, sir.

5 Q Sergeant, when you first arrived on the scene,  
6 was -- did you observe Officer Pelo engaged in any type of  
7 dialogue over his radio with dispatch?

8 A Yes, well, I don't know that I observed it. I knew  
9 that that was happening because I could hear it.

10 Q You could hear it on your own radio I bet, right?

11 A Right, right.

12 Q And what was he doing? Was he asking that they run  
13 a license plate?

14 A That's kind of a slangish term. He was asking him  
15 to run or hold a license plate when he walked up towards the  
16 gas station, yes, counsel.

17 Q And at this time you saw no other cars or vehicles  
18 in the gas station parking lot. Is that right?

19 A Well, there -- there were some people that pulled  
20 into the filling station as I was getting up towards there,  
21 but if that answers your question.

22 Q Did you see anyone putting air in his tires when you  
23 approached the gas station?

24 A I really wasn't looking for that, sir.

1 Q Did you see any vehicles, cars or trucks, leaving  
2 the gas station parking lot as you approached?

3 A Well, I guess my approach was there was quite a bit  
4 of it. When I pulled up, I sat and I looked for a little  
5 while, saw Pelo going to the station. I went ahead and  
6 pulled up. And there had been some people pulled in and I  
7 guess probably to get gas. They pulled up by the pump.  
8 They left while I was there. I wasn't paying any amount of  
9 attention at all to them. But there had been some people  
10 coming and going until we got the scene secured. But those  
11 people weren't something I focused on at all.

12 Q Are you referring to a number of people in one  
13 vehicle or a number of people in a number of vehicles coming  
14 and going?

15 A Counsel, as I recall, I believe there was already  
16 one person or possibly two in the parking lot when I got  
17 there, and there was at some point there I think a couple of  
18 other cars or vehicles pulled up, tried to get gas and left.  
19 When I went inside, I told Pelo to stay outside. So he did  
20 some things outside that I really don't have any knowledge  
21 of cause I wasn't outside.

22 Q Coming back then to my question, I gather you did  
23 not see anyone putting air in his tires in that gas station  
24 parking lot. Is that correct?

1 A There were --

2 Q Yes or no.

3 A The answer would be no, because I wasn't paying  
4 attention to what they were doing.

5 Q Thank you. Who did you turn the crime scene over  
6 to?

7 A A gentleman named Gene Irven. He was at that time  
8 an active policeman. He's since retired.

9 Q How do you spell the last name?

10 A I R V E N I believe. I R V E N or something close  
11 to that, Irven.

12 Q Sergeant, either as you were approaching the gas  
13 station or within the first couple of minutes after you got  
14 out of your vehicle and went inside the gas station, did you  
15 hear anyone either over the radio or personally say anything  
16 about a possible suspect leaving the gas station going north  
17 on foot?

18 A I personally did not hear that, no, sir.

19 MR. PICL: I have nothing else. Thank you very  
20 much, Officer.

21 THE WITNESS: Thank you.

22 THE COURT: Miss Griffin?

23

24

(Next page please.)

1 REDIRECT EXAMINATION BY MS. GRIFFIN:

2  
3 Q Officer Williams, just to clarify, when you first  
4 went inside the station and you saw Bill Little on the floor  
5 behind the counter, you indicated initially that he was on  
6 his left side. Is that correct?

7 A Yes, ma'am.

8 Q And I'm showing you what's now marked as People's  
9 exhibit number three and you recognize what that area is?

10 A Yes, I certainly do.

11 Q What do you recognize that area to be?

12 A This is a picture of that area behind the counter.  
13 This picture would be taken and, in fact, probably my squad  
14 car you can see in the background parked there, and this  
15 would be taken if you were facing south. I think there you  
16 can see a little red dot. And that's the taillight of my  
17 car.

18 Q Now down there at the bottom of that picture is the  
19 green floor there that's in the corner of that counter area.  
20 Is that correct?

21 A Yes, ma'am.

22 Q And that floor space area there would be at least  
23 part of the area where Bill Little would have been lying.  
24 Is that correct?



1           A   When -- when -- when I -- when I came into the  
2 station that's where the boy was at, and you can see there  
3 it's not much space.

4           Q   And tell me if this is an accurate statement or not.  
5 If he is laying on his left side there inside that corner,  
6 if you set him up so that his back was against the L shape  
7 of the counter and then brought him out to the end of the  
8 counter and laid him out and spread his legs out, would that  
9 be an indication of the kind of movement that was involved  
10 here, just sitting him up and then laying him down?

11           A   Well, generally speaking, yes, that would be  
12 generally I think how I had done that.

13           Q   Sergeant Williams, when you were answering counsel's  
14 questions on cross-examination, you indicated that there was  
15 a car already in the lot when you got there, is that right?

16           A   As I recall, yes, ma'am.

17           Q   And then another one came in while you were there?

18           A   Yes, ma'am.

19           Q   And could it be or do you have any recollection if  
20 that first vehicle could have been in the area where the air  
21 pump is?

22           A   Correct, counsel asked me was he putting air in his  
23 tire; I don't know about that. But he was over by where  
24 there was an air pump at. I don't know what he was doing

1 there. Maybe he had done it already or maybe he just parked  
2 there to run inside.

3 Q But that's the general area where the car was?

4 A Right.

5 MS. GRIFFIN: I don't have any other questions.

6 Thank you.

7 THE COURT: Mr. Picl?

8

9 RECROSS EXAMINATION BY MR. PICL:

10

11 Q All right. So we've now established that you did,  
12 in fact, see a car over by the air pump as you approached  
13 the station, correct?

14 A Correct, counsel.

15 Q And you told us that you were focusing upon the  
16 doors of the gas station, right?

17 A Right.

18 Q You didn't see anyone come in or out of the gas  
19 station, did you?

20 A Other than -- other than Pelo, I didn't see any  
21 civilian, counselor, no, sir.

22 Q Did you see the car by the pump leave the station?

23 A No, sir, I didn't see it leave.

24 Q Did you see Pelo come out of the station before the

1 car by the pump moved?

2 A Say that again.

3 Q Did you see Pelo come out of the station as you  
4 approached the station?

5 A That would be correct, yes, as I was coming up, Jeff  
6 had came out, sir.

7 Q And as you were coming up also you saw this car over  
8 by the air pump, right? .

9 A Right.

10 Q Just going back to this business about moving the  
11 body, just so I'm clear, your responses on redirect indicate  
12 that you did move the body somewhat in order to perhaps  
13 administer C P R. Is that right?

14 A Yes, sir.

15 Q Okay. And in essence you rolled the body over, is  
16 that generally what I'm hearing?

17 A Yes, I had to get him so his back and his shoulders  
18 were on the ground; and that's what I did.

19 Q And in rolling him over you didn't really move his  
20 feet at all, did you?

21 A Well, his feet were -- he was curled up, and when I  
22 rolled him over, he lengthened out. So I mean his feet  
23 moved, but I mean to the extent of the movement, I couldn't  
24 address with you. I mean it wasn't head over -- end over

1 end. I guess you had asked earlier and that still is  
2 correct, he didn't move 180 degrees upside down type of  
3 thing.

4 Q Well as you walked in the front door of the station,  
5 you didn't see a shoe sticking out from behind the counter,  
6 did you?

7 A No, I didn't -- wasn't paying any attention, no,  
8 sir.

9 MR. PICL: I have nothing else. Thank you.

10 THE COURT: Miss Griffin?

11 MS. GRIFFIN: Nothing.

12 THE COURT: You may step down. Thank you.

13 THE WITNESS: Thanks.

14

15 (Witness excused.)

16

17 (Witness sworn.)

18

19 D A N N Y M A R T I N E Z

20 called as a witness on behalf of the plaintiff herein, being  
21 first duly sworn, was examined and testified as follows:

22

23 DIRECT EXAMINATION BY MS. GRIFFIN:

24 Q Would you state your name, please?